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Attorneys for Plaintiff: EDEN HOUSING MANAGEMENT, INC.

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

) Case No.: C07-04325 SBA
)
)
) DECLARATION OF NICOLE D. HODGE
) IN SUPPORT OF PETITIONER'S
) MOTION FOR REMAND AND EX
EDEN HOUSING MANAGEMENT, INC.,) PARTE APPLICATION FOR ORDER
) SHORTENING TIME FOR HEARING ON
Plaintiff/Petitioner,) MOTION FOR REMAND
)
vs.	Action Filed: August 9, 2007
JAMES KARIM MUHAMMAD,	Action Removed to this Court:
	August 22, 2007
Defendant/Respondent.	Date: November 27, 2007
	Time: 1:00 pm
	Place: Courtroom 3, 3 rd Floor
	Judge: Hon. Sandra Brown Armstrong

Filed concurrently with:

1. Application for Order Shortening Time
2. Declaration of Nicole Hodge

I, Nicole Hodge declare as follows:

1. I am an attorney admitted to practice before the Bar of the State of California and the

DECLARATION OF NICOLE HODGE IN SUPPORT OF MOTION

1 United States District Court Northern District of California. I make this Declaration upon
2 personal knowledge and, if called upon to testify, could and would testify competently hereto.

3 2. This Declaration is submitted in support of Petitioner's Motion for Remand and
4 Petitioner's *Ex Parte* Application For An Order Shortening Time for Hearing on Motion on
5 Remand in the above-captioned action. In the Motion For Remand, Petitioners contend that the
6 action was improperly removed to federal court. Petitioners argue that the Court lacks federal
7 question jurisdiction.

8 3. On November 11, 2007, November 12, 2007 and November 13, 2007, I attempted at
9 in the morning and evening times to contact Mr. Muhammed, Respondent in Pro Per by
10 telephone. Each time I received no answer and could not leave a voicemail.

11 4. Since the removal of this suit, I have not been able to contact Mr. Muhammed by
12 letter or by phone.

13 5. Mr. Muhammed, Respondent was served by mail with Petitioner's Motion for
14 Remand and did not respond. Given Mr. Muhammed's absence from this case and his failure to
15 respond to notices, I believe that additional attempts to meet and confer would be futile and
16 counter-productive to the goal of expeditious resolution of the merits of the Petitioner. As such,
17 Petitioners have applied *ex parte* for an order shortening time.

18 6. The requested time modification will not alter the schedule of this matter, because no
19 schedule has been set.

20 I declare under penalty of perjury under the laws of the state of the United States of
21 America that the foregoing is true and correct. Executed this 13th day of November, 2007, at Los
22 Angeles, CA.

23
24
25 DECLARATION OF NICOLE HODGE IN SUPPORT OF MOTION

/s/ Nicole Hodge
NICOLE HODGE
Attorney for Petitioner

DECLARATION OF NICOLE HODGE IN SUPPORT OF MOTION